

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Lisa Michelle Kelly,) C/A No.: 1:18-3239-DCC-SVH
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Plaintiff,)
)
)
vs.)
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Defendant.)
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ORDER

Andrew M. Saul,¹ Commissioner of)
Social Security Administration,)
)
)
)
Defendant.)
)

This matter comes before the court on a review of the pleadings in this case. Plaintiff brought this action pursuant to 42 U.S.C. § 405(g) and § 1383(c)(3) to obtain judicial review of the final decision of the Commissioner of Social Security (“Commissioner”) denying her claim for Disability Insurance Benefits (“DIB”). The two issues before the court are whether the Commissioner’s findings of fact are supported by substantial evidence and whether he applied the proper legal standards.

A review of the pleadings suggests the case may be subject to reversal and remand based on the ALJ’s failure to adequately evaluate Plaintiff’s subjective symptoms in accordance with applicable Social Security Rulings and Regulations. Therefore, the undersigned permits the Commissioner until October 16, 2019, to submit a supplemental brief explaining how the ALJ’s

¹ Andrew M. Saul became the Commissioner of the Social Security Administration on June 17, 2019. Pursuant to Fed. R. Civ. P. 25(d), Saul is substituted for Nancy A. Berryhill.

decision reflects his consideration of all the relevant evidence regarding hand edema, depressive symptoms, and medication-induced side effects in accordance with 20 C.F.R. §§ 404.1529 and 404.1545 and SSRs 96-8p and 16-3p.

The parties are hereby advised that the undersigned intends to schedule the case for hearing upon review of the Commissioner's supplemental brief.

IT IS SO ORDERED.



October 2, 2019
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge